

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LABORERS PENSION TRUST FUND - DETROIT
& VICINITY, Trustees of; *et al.*,

Plaintiffs,

CASE NO. 06-CV-10087

v.

HON. ANNA DIGGS TAYLOR

COMMERCIAL INTERIOR SYSTEMS, INC./
SHR-H LLC,

Defendants.

SACHS WALDMAN,
PROFESSIONAL CORPORATION
GEORGE H. KRUSZEWSKI (P25857)
HOPE L. CALATI (P54426)
Attorneys for Plaintiffs
1000 Farmer Street
Detroit, MI 48226
(313) 965-3464 telephone
(313) 965-0268 facsimile

FITZGERALD & DAKMAK, PC
ROBERT A. PEURACH (P34446)
Attorney for Defendant
Commercial Interior Systems, Inc.
615 Griswold St., Ste. 600
Detroit, MI 48226
(313) 964-0800 telephone
(313) 964-0581 facsimile

ORDER ADMINISTRATIVELY STAYING CASE

At a session of said Court, held in Detroit, Michigan, at the
Theodore Levin United States Courthouse, on: July 24, 2006

PRESENT: HON. ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

The court has been informed that an Order for Relief under Chapter 7 of the Bankruptcy Code has been entered against defendant Commercial Interior Systems, Inc., in Case No. 06-49239 filed in the United States Bankruptcy Court for the Eastern District of Michigan. In accordance with 11 U.S.C. § 362, this civil action is automatically stayed as to the debtor, Commercial Interior

Systems, Inc., until the Bankruptcy proceedings in question are terminated or the stay is lifted. 11 U.S.C. §362(c).

The automatic stay provision of the Bankruptcy Reform Act of 1978, 11 U.S.C. § 101, *et seq.*, halts the commencement or continuation of litigation against the debtor by adverse parties; it does not divest this Court of jurisdiction to issue necessary orders in civil actions which are stayed in Bankruptcy. *See Connell v. Walker*, 291 U.S. 1, 54 S.Ct. 257 (1934); *Donald F. Duncan Inc. v. Royal Tops Mfg. Co.*, 381 F.2d 879 (7th Cir. 1967), *cert. denied*, 390 U.S. 905, 88 S.Ct. 819 (1968).

Accordingly, in the interest of the effective administration of the Court's business, without prejudice to any other party to this action, and in keeping with the intent and spirit of the automatic stay provision of the Bankruptcy Reform Act, 11 U.S.C. § 362, this matter is hereby administratively STAYED with regard to defendant COMMERCIAL INTERIOR SYSTEMS, INC., only. This stay is for administrative purposes only. Upon termination of the aforementioned bankruptcy proceedings, or the lifting of the automatic stay with reference to the instant proceeding, leave is hereby granted to allow either party to move to reopen this action. Any such motion need only refer to this order and it will be granted.

This Order shall have no effect on this litigation with regard to defendant SHR-H LLC.

DATED: July 24, 2006

s/Anna Diggs Taylor
ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing *document* was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on **July 24, 2006**.

s/Johnetta M. Curry-Williams
Case Manager